IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No. 1370 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHIVCHARAN L BHATIYA AND ANOTHER
Versus
PUROHIT CONSTRUCTION CO LTD

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Appearance :
MR BHARAT R PANDYA for the Applicants
MR AR GUPTA for the Opponent

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 12/01/2006

ORAL JUDGMENT

The present Misc.Civil Application is filed by the applicants – original plaintiffs in Civil Suit Nos.456 of 2000 and 455 of 2000 filed in the Court of learned Civil Judge (S.D.), Ahmedabad (Rural) for various reliefs, including the declaration with regard to the property

bearing Flat No.A-201, Status Apartment, Opp.T.V.Towar, Ahmedabad and about the property bearing Flat No.C-702, Status Apartment, Opp.T.V.Towar, Ahmedabad

The opponent herein filed Civil Suit Nos.4899 of 2000 and 4898 of 2000 with regard to the aforesaid properties against the present applicants in the City Civil Court at Ahmedabad.

Heard the learned advocates.

The learned advocates are at consensus that it will be in the interest of justice if all the proceedings are tried before a same forum, i.e. at City Civil Court at Ahmedabad where Civil Suit Nos.4899 of 2000 and 4898 of 2000 are pending. That being so, taking into consideration the contents of the application, the proceedings of Civil Suit Nos.456 of 2000 and 455 of 2000 filed in the Court of learned Civil Judge (S.D.), Ahmedabad (Rural) are ordered to be transferred to the City Civil Court at Ahmedabad and are further directed to be heard with aforesaid two suits being Civil Suit Nos.4899 of 2000 and 4898 of 2000.

The Misc.Civil Application is allowed. Rule is made absolute with no order as to costs.

It is expected that the learned Judge of the City Civil Court before whom these matters are placed will give due priority to the hearing of these suits and will dispose of the same as expeditiously as possible.

(RAVI R.TRIPATHI, J.)

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